

## **Abstract**

### **Changes and claims under FIDIC commercial terms in the context of the Civil Code and public procurement law**

FIDIC commercial terms are one of the most popular commercial terms in construction all over the world. Its regulation of Variations and Claims during the constructions works is certainly very important for successful progress of the construction. However, in the context of the Czech Civil Code and public procurement rules, there can raise issues of applicability of such regulation under FIDIC in Czech law environment and also compliance with public procurement regulation. The aim of this thesis is an analysis of applicability of Variations and Claims under the FIDIC regarding to the Czech Civil Code and public procurement rules.

After an introductory part, the thesis is divided into four main chapters. The first chapter describes the FIDIC Federation and history of its commercial terms. The second chapter outlines basic description of Variations and Adjustments and Claims and connected questions including the procedure issues.

Following two chapters are the main parts of the thesis. The third chapter is focused on Variations and Adjustments and Claims under the FIDIC commercial terms regarding the Czech law environment and recently adopted Civil Code. The last chapter is focused on public procurement rules, European case law regarding public procurement and the New Directive of EU.

In the final part of the thesis follows the summary of main issues and conclusions regarding discussed issues of applicability of FIDIC Books regarding Civil Code and also not satisfying regulation of changes of contracts under Czech public procurement law. At the very end, the New Directive concerning public procurement and its possible positive impact on public procurement law in the Czech Republic is mentioned.

**Key words:** FIDIC, Variations, Claims, Public Procurement